FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE.

WRIT PETITION NO. 4628 OF 2006

Office Notes, Office Memorada orders or directions and Registrar's orders.	Court's or Judge's Orders.
	Shri R.Patil with A.S.Kulkarni for petitioner. Shri S.D.Patil for Respdt. 1/2.

CORAM; V.G.PALSHIKAR Acg.C.J.&
V.M.KANADE, J.

DTAED: 20TH JULY, 2006.

P.C.

1. By this petition, the petitioner has assailed the order passed by the Assistant Charity Commissioner under section 41 A of the Bombay Public Trust Act 1950. By the impugned order, elections are directed to be held in relation to the trust of which the petitioner is a member.

2. In our opinion, there is no need to interfere at this stage. The petitioner has various statutory remedies to challenge

the outcome of the election. He can contest the change report which are filed by the newly elected body, that existence of election report is also open to appeal. The contentions raised regarding wrongfully held and negligence of certain names for withdrawal are also the contentions, which are required to be proved or disproved by cogent evidence which cannot be done in writ petition. In view of this fact, that the petitioner has adequate remedy after the elections are conducted as per the impugned order, we see no reason to interfere. Petition is therefore rejected.

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